IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BILLY R. AGUILAR,	)	CASE NO. 4:12CV3155
	)	
Petitioner,	)	
	)	
v.	)	MEMORANDUM
	)	AND ORDER
ATTORNEY GENERAL OF THE	)	
STATE OF NEBRASKA,	)	
	)	
Respondent.	)	

This matter is before the court on its own motion. On September 12, 2012, the court entered a Memorandum and Order provisionally filing this matter but requiring Petitioner to either file a motion for leave to proceed in forma pauperis or pay the $5.00 filing fee no later than October 11, 2012. (Filing No. 3.) The court warned Petitioner that failure to comply with its Memorandum and Order would result in dismissal of this matter without further notice. (*Id.*) Petitioner failed to pay the $5.00 filing fee or file a response to the court's September 12, 2012, Memorandum and Order. (*See* Docket Sheet.)

On October 23, 2012, the court gave Petitioner until November 19, 2012, to show good cause or excusable neglect for his failure to comply with the court's September 12, 2012, Memorandum and Order. (Filing No. 4.) Petitioner failed to respond. (S*ee* Docket Sheet.) Accordingly,

IT IS THEREFORE ORDERED that:

1.   This matter is dismissed without prejudice for failure to pay the court's filing fee and for failure to comply with court orders; and

   2.   A separate judgment will be entered in accordance with this Memorandum
        and Order.

DATED this 27th day of November, 2012.

                              BY THE COURT:

                              s/Laurie Smith Camp
                              Chief United States District Judge

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